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FACSIMILE TRANSMITTAL

TO:

Name: Mail Stop AMENDMENT
Art Unit 3622/Examiner Arthur Duran

Firm: U.S. Patent & Trademark Office

Fax No.: 571-273-8300

Subject: U.S. Patent Application No. 09/605,695

Filed: June 28, 2000

INTELLIGENT MEDIA TARGETING SYSTEM
AND METHOD

Attorney Docket No. 108,0003-00000

Customer No. 22882

Confirmation No.: 6334

FROM:

Name: Amedeo F. Ferraro

Phone No.: 310-286-9800

No. of Pages (including this): 8

Date: December 7, 2005

Confirmation Copy to Follow: NO

Message:

CERTIFICATE OF TRANSMISSION UNDER 37 CFR 1.8

I hereby certify that the attached Transmittal Form (in duplicate; \$1,020.00 total fee to cover the \$1,020 three-month extension fee is to be charged to Deposit Account No. 50-1068) and Reply to Office Action are being facsimile transmitted to the U.S. Patent and Trademark Office on December 7, 2005.



Todd M. Martin

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FORM PTO-1083

Attorney Docket No.: 108.0003-00000
Customer No. 22882

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Steven Michael Scheln

Serial No: 09/605,695

Filed: June 28, 2000

For: INTELLIGENT MEDIA TARGETING SYSTEM
AND METHOD

Confirmation No.: 6334

Art Unit: 3822

Examiner: Arthur Duren

Mail Stop AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Transmitted herewith is a reply to the Office Action dated June 9, 2005 in the above-identified application.

☐ No additional fee is required.☒ Applicant hereby requests a three-month extension of time to respond to the above office action.

The fee has been calculated as shown below:

| | (Col. 1) CLAIMS REMAINING AFTER AMENDMENT | | (Col. 2) HIGHEST NUMBER PREVIOUSLY PAID FOR | | (Col. 3) PRESENT EXTRA* | LG/SM \$ ENTITY FEE | | ADD'L FEE DUE |
|---|---|---|---|-----|-------------------------------|--|-------|------------------|
| TOTAL CLAIMS FEE | 33 | - | 37 | ~ | 0 | LG=\$50 SM=\$25 | \$50 | \$ 0 |
| INDEPENDENT CLAIMS FEE | 8 | - | 8 | --- | 0 | LG=\$200 SM=\$100 | \$200 | \$ 0 |
| FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIMS | | | | | | LARGE ENTITY FEE = \$360 SMALL ENTITY FEE = \$180 | | \$ |
| TOTAL | | | | | | | | \$ 0 |

* If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.

-- If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, write "20" in this space.

-- If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, write "3" in this space. The "Highest Number Previously Paid For" (Total or independent) is the highest number found from the equivalent box on Col. 1 of a prior amendment or the number of claims originally filed.

☒ A total fee in the amount of \$1,020 to cover the \$1,020 three-month extension of time fee is to be charged to Deposit Account No. 50-1068.☒ The Commissioner is hereby authorized to charge any deficiencies of fees associated with this communication or credit any overpayment to Deposit Account No. 50-1068. A copy of this sheet is enclosed.☒ Any filing fees under 37 C.F.R. § 1.16 for the presentation of extra claims☒ Any patent application processing fees under 37 C.F.R. § 1.17Respectfully submitted,
MARTIN & FERRARO, LLPBy: 

Amedeo F. Ferraro

Registration No. 37,129

Date: December 7, 2005

1557 Lake O'Pines Street, NE
Hartville, Ohio 44632
Telephone: (330) 877-0700
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Transmittal of Amendment.DOC

FORM PTO-1083

RECEIVED
CENTRAL FAX CENTERAttorney Docket No.: 108.0003-00000
Customer No. 22882

DEC 07 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Steven Michael Schein

Serial No: 09/605,695

Filed: June 28, 2000

For: INTELLIGENT MEDIA TARGETING SYSTEM
AND METHOD

Confirmation No.: 6334

Art Unit: 3822

Examiner: Arthur Duran

Mail Stop AMENDMENT
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Alexandria, VA 22313-1450

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| INDEPENDENT CLAIMS FEE | 8 | - | 8 | --- | 0 | LG=\$200 SM=\$100 | \$200 | \$ 0 |
| FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIMS | | | | | | LARGE ENTITY FEE = \$980 SMALL ENTITY FEE = \$180 | | \$ |
| TOTAL | | | | | | | | \$ 0 |

* If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.

-- If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, write "20" in this space.

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MARTIN & FERRARO, LLPBy: Amedeo F. Ferraro
Registration No. 37,129

Date: December 7, 2005

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Hartsville, Ohio 44632
Telephone: (330) 877-0700
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DEC 07 2005

PATENT
Attorney Docket No. 108.0003-00000
Customer No. 22882

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

| | | |
|-----------------------------------|---|------------------------|
| In re Application of: |) | Confirmation No.: 6334 |
| Steven Michael Schein |) | |
| Serial No.: 09/605,695 |) | Group Art Unit: 3622 |
| Filed: June 28, 2000 |) | Examiner: Arthur Duran |
| For: INTELLIGENT MEDIA TARGETING) | | |
| SYSTEM AND METHOD |) | |

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

REPLY TO OFFICE ACTION

In reply to the Office Action dated June 9, 2005, the period for reply having been extended for three (3) months by a request for extension and fee payment filed concurrently herewith, Applicant submits the remarks set forth below for consideration by the Examiner.

In the Office Action, the Examiner rejected claims 1-7, 9-15, 17-20, 22, 23, and 25-37 under 35 U.S.C. § 103(a) as being obvious over U.S. Patent No. 5,892,900 to Ginter et al. ("Ginter") in view of U.S. Patent No. 5,848,396 to Gerace ("Gerace"). To the extent that the rejection is understood, Applicant respectfully traverses the Examiner's rejection for at least the reasons set forth below.

I. The Examiner's motivation to support the combination of Ginter and Gerace is inapplicable in view of the disclosure of Ginter.

The Examiner states in the Office Action that "it would have been obvious to one having ordinary skill in the art at the time the invention was made to add Gerace's further features on tracking user responses to content and targeting a user to Ginter's presenting a user content and profiling a user. One would have been motivated to do this in order to better present a user with information of interest." (Office Action, page 23, paragraph 4). Applicant respectfully submits that the Examiner's asserted motivation is inapplicable because as noted by the Examiner, Ginter discloses

Reply to Office Action 12-7-05.doc